

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

HABTOM O. TESFAMARIAM,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

NO. CV-08-213-CI

**JUDGMENT IN A  
CIVIL CASE**

**DECISION BY THE COURT:**

This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that:

Plaintiff's Motion for Summary Judgment is **GRANTED**. This matter is remanded to the Commissioner for additional proceedings consistent with the Court's decision and sentence four of 42 U.S.C. §405(g), including testimony by a vocational expert if step five is reached. Defendant's Motion for Summary Judgment is **DENIED** and Judgment is entered for Plaintiff.

DATED: August 14, 2009

JAMES R. LARSEN  
District Court Executive/Clerk

s/ L. Stejskal  
Deputy Clerk